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HUMAN RIGHTS AND THEIR CRITICS

Professor Patrick Macklem

University of Toronto

January 2018

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Human Rights and Their Critics (LAW373H1S)

Instructor: Patrick Macklem

(For graduate students, the course number is LAW6042H.)

Scholarship and jurisprudence on human rights is burgeoning at a time when the discourse of human rights is assuming an increasingly powerful role in comprehending relations between citizens and states, competing conceptions of global justice, global economic inequality, processes of economic globalization, and new forms of nationalism that challenge liberal conceptions of domestic and international justice. The dominance of human rights discourse is not only apparent in international institutions vested with the authority of legal norm production but also in the increasing tendency of jurisdictions at various sub-international levels to borrow approaches to human rights and tailor them to specific circumstances. The multi-level production and borrowing of human rights norms often occur without critical reflection on the normative, political and material consequences of these processes. Focusing primarily on academic literature from law, political theory and moral philosophy, this course will provide an introduction to debates among those supportive and those critical of human rights as instruments of global and local justice.

Evaluation

Will be by a double spaced essay (from 6,000 to 7,000 words in length), related to the themes of the course (90%), and class participation (10%).

TABLE OF CONTENTS

The Morality of Human Rights

James Griffin, <i>On Human Rights</i> ; ch. 1 and ch. 2	1
Martha C Nussbaum, <i>Capabilities and Human Rights</i>	51

The Politics of Human Rights

Charles R. Beitz, <i>The Idea of Human Rights</i> ; ch. 5 and ch. 6 – Online only	
Jean L Cohen, <i>Human Rights Sovereignty and Global Governance</i> ; ch. 3	79

The Law of Human Rights

Amartya Sen, <i>Human Rights and the Limits of Law</i>	145
Patrick Macklem, <i>The Sovereignty of Human Rights</i> ; ch. 1 and ch. 5 – Online only	

Human Rights and the Critical Legal Studies Movement

Mark Tushnet, <i>An Essay on Rights</i>	160
Peter Gabel, <i>The Phenomenology of Rights-Consciousness and the Pact of the Withdrawn Selves</i>	201

The Structure of Human Rights

Duncan Kennedy, <i>The Structure of Blackstone's Commentaries</i>	238
Jarna Petman, <i>Egoism or Altruism?</i>	253

The Consequences of Human Rights

David Kennedy, <i>The International Human Rights Regime: Still Part of the Problem?</i>	274
Gregor Noll, <i>The Exclusionary Construction of Human Rights in International Law and Political Theory</i>	289

Human Rights and the Global South

Balakrishnan Rajagopal, <i>Counter-hegemonic International Law: Rethinking Human Rights and Development as a Third World Strategy</i>	302
José-Manuel Barreto, <i>Epistemologies of the South and Human Rights: Santos and the Quest for Global and Cognitive Justice</i>	319

Human Rights and Feminism

- Brooke A Ackerly, *Universal Human Rights in a World of Difference*; ch. 3..... 347
Karen Engle, “*Calling in the Troops*”: *The Uneasy Relationship Among Women’s Rights, Human Rights, and Humanitarian Intervention* 370

Human Rights and the International Legal Order

- Frédéric Mégret, *The Apology of Utopia* 408

Human Rights and Postmodernity

- Paul O’Connell, *On the Human Rights Question* 451
Malcolm Langford, *Rights, Development and Critical Modernity* 480

The Futures of Human Rights

- Stephen Hopgood, *The Endtimes of Human Rights*; ch. 1 and ch. 8 – Online only

